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OFFICE OF THE ATTORNEY GENERAL

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Attorney General

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THOMAS G. CONWAY
Assistant Attorney General In Charge
Consumer Frauds and Protection Bureau

May 13, 2003

[REDACTED]
Whitestone, NY [REDACTED]

Our File Number: CFN03R05180
Company: Volvo Cars of North America, Inc.

Dear [REDACTED]

On behalf of Attorney General Eliot Spitzer, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for contacting us.

Very truly yours,

Philip D. Gamma/cl

Philip D. Gamma
Bureau of Consumer Frauds
And Protection

/ cc: National Highway Traffic and Safety Administration
400 7th Street SW
Washington, DC 20590

2003 MAY 23 PM 5 11

Mary
5/28/03

New York State Office of the Attorney General
Eliot Spitzer
Consumer Protection Bureau
120 Broadway 3rd Floor
New York, NY 10271

[REDACTED]
Whitestone, NY
[REDACTED]

May 5, 2003

To Whom It May Concern:

Attached please find a letter I wrote to Volvo about the problems I have had with my 2001 Volvo S40 that was leased new in March 2001. As you can see I have had numerous problems with the car. Since that letter was written one of the headlights burned out and needed to be replaced and the power steering wheel shaft also needed to be replaced requiring that the car be left at the repair shop for the entire day. While all these problems were covered by the warranty having to bring the car in repeatedly for repair is a great inconvenience.

My main complaint with Volvo is the fact that I had to replace 2 rear brake pads and rotors after only 10,230 miles on the car at a cost of \$471.00. Both the customer service person I spoke with at Volvo as well as the service manager at Hassel Volvo, (where the repair was done), told me that this was not unusual for this car. When I decided to lease the car I was never informed that brakes wear out after 10,000 miles. If this is common for the car I think it should not only be covered by the warranty but that the consumer should be warned before purchasing.

I spoke to several mechanics that said that while it's possible that brake pads could wear out after such little mileage they really shouldn't. They all agreed however that rotors should not have to be replaced with such low mileage. Please note that one of the rear rotors was replaced a year before due to a crack which I was told was a factory defect. Therefore that particular rotor did not even have 10,000 miles on it. Yet I was told it had to be replaced also.

The attached letter from Volvo says that they will not take responsibility for the repair and alludes to the fact that the driver is at fault. Firstly I use the car mostly on weekends and do mostly highway driving. I do not ride the brake. My driving habits have not changed in years and I have never had this problem before in any other car I owned. I have attached several e-mails from other S40 owners that also complained about having to change brake pads after low mileage so this problem is not unique to my driving habits and me. None have mentioned having to change rotors which leads me to wonder if the rotors really needed to be changed at all. These e-mails were located on the Edmunds.Com website.

From the info I have gathered I don't think this car qualifies as a "lemon" under the "Lemon Law" but it does attest to the quality of vehicle Volvo is selling to consumers. No one should have to replace brake pads and rotors with 10,000 miles on a car. I have owned many other brands of cars in the past and have never had so many problems in the first 2 years of ownership. I hope you will agree with me that I should be reimbursed from Volvo for the \$471.00 I paid for the brake pads and rotors.

Sincerely,

[REDACTED]

Attachments: 1) Letter to Volvo Cars North America; 2) Letter of response from Volvo; 3) Bill for work done from Hassel Auto Group; 4) Consumer e-mails from Edmunds.Com telling of similar problems with brake pads.

[REDACTED]
Whitestone, NY 11357
[REDACTED]

Volvo Cars of North America, Inc.
Seven Volvo Drive
Rockleigh, New Jersey 07647

March 25, 2003

To Whom It May Concern:

In March of 2001 I leased a Volvo S40 from Shari Lyn Leasing in Roslyn, NY. I have regretted that decision ever since. Since I've had this car I have had one problem after another. These problems include:

- A cracked rotor (which I was told was a factory defect)
- The shift light went out
- The switch for the power seat broke which prevented me from being able to move the front driver's seat.
- The car was recalled for a problem that you would be more familiar with than me.

I have had all these problems within the first 2 years. I now have approximately 10,250 miles on the car. I brought the car into Hassel Volvo in Glen Cove, NY yesterday to have the problem with the power seat fixed. While there I asked them to check on a noise that I started hearing several days before whenever I stepped on the brakes. I was told that the car needed new rear rotors and brake pads costing a total of almost \$500. I asked how a car with such little mileage could need brakes and I was told that it was pretty common in these cars. I then called the Volvo Customer Service number given on your website and was basically told the same thing. I have owned many cars prior to this Volvo including Toyotas, Nissans, General Motors and Chrysler products and have never had to replace brakes with such little mileage. In addition everyone that I have mentioned this to finds it inconceivable that these parts could have worn out so quickly unless they were defective in the first place. I believe that if these parts, as the service manager at Hassel and your customer service rep told me, truly wear out so quickly they should be covered by the warranty. The gentleman in Customer Service was sympathetic but did not offer any financial assistance with this matter. I am therefore writing in hopes that Volvo will do the right thing and reimburse me for this repair!

As of now I have lost all respect for the Volvo product and don't know why I would ever consider purchasing or leasing another Volvo car in the future. In addition from my experience so far I can certainly not recommend the product to others. Although all the other problems I have had were covered by the warranty, taking the car in for these repairs has cost me time from my job since none of the service centers in this area seem to be open on the weekends! One of the selling points stressed to me when I was considering this car was the excellent 48-month warranty. It's nice to have such a warranty but having to constantly take time off from work to bring the car in for servicing is not only inconvenient but also maddening. The main reason I chose this car was for the great reputation for safety Volvo cars have. Well how safe is a car that needs new brakes every 10,000 miles. In addition what is the good of having a safe car that has to constantly be brought in for repairs.

As I stated above if brake replacement at such low mileage is common in this car maybe it should be looked at and corrected or included in the warranty coverage!!

Your website says, "Owning a Volvo Car should be as pleasant and trouble-free as possible." That has certainly not been my experience. I am waiting to hear from you before I contact the Consumer Protection Agency and the Attorney General's Office about this matter.

Sincerely,
[REDACTED]



Volvo Cars of North America, LLC

April 30, 2003

[REDACTED]
Whitestone, NY [REDACTED]

Dear [REDACTED],

This is in response to our conversation earlier today and your previous correspondence concerning the brake repairs on your 2001 Volvo S40.

We are sorry to learn of your dissatisfaction; however, it is not possible for Volvo to offer an explanation as to why you have experienced difficulties with the brakes on your particular vehicle. The longevity of the pads and rotors is dependent upon various factors, including personal driving habits and driving conditions.

We have been in touch with Michael Casey, Sr., the Service Manager at Hassel Volvo. It is our understanding your service history was reviewed with our Volvo Representative. The grinding noise you complained of was due to rotors wearing metal to metal wear.

We have given careful consideration to your request. As much as we desire to resolve each of our customer's concerns to their satisfaction, it is not always possible to meet every expectation. Unfortunately, Volvo cannot accommodate your request for cost assistance toward this repair.

Drive Safely,


Ruth McDonagh
Customer Relations Consultant

[Close Window](#)

Consumer Ratings & Reviews: All Reviews

2003 Volvo S40

Overall Rating

7.9

Number of Reviews: • [Write your own review](#)

25

(Ratings scale: 1-10 where 10 is the highest possible score.)

Styles: [4dr Sedan \(1.9L 4cyl Turbo 5A\)](#)

4dr Sedan (1.9L 4cyl Turbo 5A)

Monday, April 21, 2003

TOO MANY PROBLEMS By

5.5 Details

Review: I leased this new S40 in March 2001. Within the first year I had to replace a rear rotor due to a factory defect. During the second year with 10,000 miles on the car I needed new rear rotors and brake pads costing close to \$500. I am currently fighting with Volvo to reimburse me. During the second year the shift light blew out, the front headlight had to be replaced, the power seat broke and needed a new switch, the steering column needed repairs. The check engine light goes on and off continuously, and the air conditioning is terrible. I would never consider another VOLVO and advise all to stay away!

Favorite Features: The engine has plenty of power.

Suggested Improvements: Make a car that is not only safe but that holds up. It does no good to have a safe car that you can't drive because it is constantly in the shop for repairs.

Friday, April 18, 2003

Great car, expect to pay for it though By

8.1 Details

Review: This car was purchased for my wife in 12/00 with the expectation that we would have a baby before the end of the lease. We truly enjoyed the car, however the addition of our daughter has changed our feelings towards the S40. It is simply not large enough for two adults and one baby. With the baby seat in the rear-facing position behind the passengers' seat, my wife has to move the passengers' seat almost all of the way forward, which is obviously not comfortable. Also, we had to replace the brake pads at 13,000 miles, and tires at 22,000 miles.

Favorite Features: The seat warmers are beautiful. This car is equipped with the latch system for the baby seat. The leather is top-grade material. Build quality and ride are exceptional.

Suggested Improvements: Remote trunk opener or interior trunk release should be standard. Cup holders are absolutely horrible. Routine maintenance (tires, brakes) need to be less frequent.

Friday, April 11, 2003

Inexpensive, Fun to Drive, Great w/ Gas By

8.8 Details

Review: This car is fun to drive, nearly like a sport car, but without higher insurance costs. I love the way it gets up and the comfort for the driver. I do not like the wheel adjuster for the passenger seat. For me this is really a two person car because the front passengers are EXTREMELY comfy. The rear ones are just ok. Also, what happened to a trunk light? I'm on nearly 30k miles in less than a year, no problems with the car at all. Overall I am pleased. I must say my once loved SUV is now parked while I zip around

3.6 Details

Review: I purchased this car in January, 2000, because my wife "had to have it". back brakes went out after 15k mi and ruined rotor. a/c stops working w/continuous use (2 hours driving). headlight go out every 10k mi. sunvisors are stuck in down position. check engine light is on continuously-no one knows why. maintenance is expensive even for european car. the suspension rattles until the car has warmed-up (?!). headlight socket broke when light replaced (3rd time)-dealer says it's my problem since the warranty is out.

Favorite Features: none-unless someone takes this piece off my hands.

Suggested Improvements: buy a '78 pinto.

Saturday, March 08, 2003

perfect car By

10.0 Details

Review: Simply the best, can not be compared to japan or german cars....

Favorite Features: reliability and fun of driving 2.0T

Suggested Improvements: Xenon lamps in std.

Sunday, March 02, 2003

for volvo...not bad. By

7.9 Details

Review: for a 18 yr old guy.. i'm quite happy abt s40.. i never that volvo will design diff. looks. Cuz usually they jus design it square and ...u no .. like a coffin.. but for S40..its amazing. Even though its a demo car when i bought it.. the car still runs smoothly and i only have to bring to dealer for check up once so far to change brake that had been worn off, tire rotation and tire alignment.

Favorite Features: the color red looks really nice on S40. i love the spoiler,back of car doesn't look like a volvo at all it looks so sporty that when i first look at it. i thot its a sports car. not a sedan. however, i still consider it to b very sporty.

Suggested Improvements: Make it a FR..so i can drift... rite now i still can..but very dangerous for FF to do it. Have Manual option, bigger tires that'll b good. both front seats should have electronic seats. make car a bit lower to the ground for better turns, and make 170hp to 200hp wif turbo.

Wednesday, February 26, 2003

three year owner and still happy By

9.9 Details

Review: We searched high and low for an affordable safe car without driving a status symbol and found the 2000 S40. I wanted a good commuter car that would be dependable and fun to drive for many years. I do most of my own maintenance and have not had any mechanical problems;the dealer has treated me like royalty. The car is not a family of four car but works out fine for a family of three! We purchased the car in August of 2000 loaded with all the features except heated seats; and we love it, love it, love it!

Favorite Features: Moonroof, gas mllage, peppy and fun to drive, loaded with features for the same or less than what you would expect from a European car.

Suggested Improvements: The cup holder has been our only complaint.

Monday, February 24, 2003

Too Often Overlooked By

7.4 Details

Review: The S40 has got to be one of the most over looked automobiles. I have owned the car for 8 months and it is a joy to drive. Plenty of acceleration, good handling, comfortable, very secure in bad weather, economical, reduced insurance and no gimics. The model is to be replaced mid-year 2004, so watch for good discounts as Volvo does.

Favorite Features: Seats, heater seats, low end torque, secure handling, safety features, economy

Suggested Improvements: Include an option for a manual transmission.

Tuesday, February 18, 2003

S40 Makes a middle-aged dad happy! By [REDACTED]

[REDACTED] 7.6 Details

Review: The turbo as standard equipment on this car really makes it an attractive sporty option for someone who doesn't want a Taurus or Camry. With two young kids I need a 4 door and the airbag cage really encourages me that safety will be paramount. Combine that with the zippy way she handles and the smoothness of the ride at speed and I couldn't have done better for \$10k more. Best of all, both girls are always asking me to "Open the roof, Daddy!"

Favorite Features: It's got a sleek look (for a Volvo) and handles like a dream. For a 37 year old's first NEW car ever, I'm pretty happy!

Suggested Improvements: Allow the front seats to move back just a little farther . . .

Friday, February 14, 2003

Safety at a great price By [REDACTED]

[REDACTED] 9.6 Details

Review: A safe, and pleasant vehicle at a great price. Good pickup, smooth ride.

Favorite Features: Safety, safet, safety at an affordable price.

Friday, February 14, 2003

An expensive lemon [REDACTED]

[REDACTED] 4.6 Details

Review: Owned this lemon for 2 years. I trusted Volvo for its reliability and Volvo did not deliver it. I have to take this car for repairs every 3 months on average. Only 21,000 miles, but I had 6 problems + 2 recalls. Everything from windshield wipers failure in the middle of a storm, to misalignment of the hood, to check engine lights on for transmission problems, to check engine lights on for unknown reasons, etc.... Brake pads had to be replaced after 15,000 miles. Air conditioning recall + transmission software upgrade recall. To sum it up, Expensive lemon, unreliable, and poor service

Favorite Features: At least I can sit in my leather seats waiting for roadside assistance to show up.

Suggested Improvements: Quality, reliability, and may be spinning off from Ford.

Monday, February 10, 2003

Great Car! By [REDACTED]

[REDACTED] 8.8 Details

Review: Bought the car new for \$21,995 + tax and lic. with premium package (leather and moonroof) You can't beat that price. It has excellent safety features and is a comfortable ride. The interior materials are very nice and classy.

Favorite Features: Engine performance is great (170hp turbo). Acceleration is impressive.

Suggested Improvements: Console design could use an update. Standard cassette isn't needed. Could use more leg room in the back seats.

Wednesday, February 05, 2003

Our 2002 S40 By [REDACTED]

[REDACTED] 7.9 Details

Review: Noticed wind noise from sunroof, brought it in. Dealer of course said there's nothing wrong with it. A few months later the headliner had a water stain on it from a water leak. The dealer fixed the roof properly, but got greasy fingerprints all over the new headliner. Also the new headliner was installed improperly, now have at least 3 rattles we didn't have before. Had problem with the intermittent wipers not working and cruise control. All total we've had 6 dealer visits in the first 9 months of ownership, not what we expected in terms of Volvo reliability. Other than these problems the car has been very good.

Favorite Features: Like the low end turbo grunt. Car put together quite well, doors have a solid "thunk" when closed. Front seats are a dream for a small car. Sat in them for a 16 hour drive and my back didn't hurt a bit, and I'm 6' 1" tall, hard to find in a smaller car.

Suggested Improvements: This car should be able to make the 168 horsepower without the use of premium fuel. Toyota's 4-cylinder Corolla has 157 horsepower without a turbo, uses 87 octane fuel and gets the same gas mileage on a bigger car!

Wednesday, January 08, 2003

2003 Volvo S40 By [REDACTED]

[REDACTED] 9.1 Details

Review: beautiful interior for the price, 5 speed auto, whiplash protection system, CD, cassette and freecappuccino from the dealer. who could ask for anything more?

Favorite Features: whiplash protection system, both CD and cassette player, simulated wood looks real.

Suggested Improvements: none

Wednesday, December 25, 2002

If you live in new york stay away By [REDACTED]

[REDACTED] 6.1 Details

Review: Ive had this car for a year the cars performance as far as pick up is great. in the snow it sucks, if you hit a pot hole you need a new wheel base a tire and an alignment. the car really could get on your nerves. maintenance very pricy. overall sometimes it could be your friend but in a second it can back stab you

Favorite Features: none

Suggested Improvements: better tires, suspension oh and the lights go out every other day

Sunday, December 22, 2002

Noisy and Bumpy ride By [REDACTED]

[REDACTED] 4.5 Details

Review: This car has some (not a lot of zip) but the engine vibrates throughout the car and you can feel through the gas pedal. Small wheels and size of vehicle give very bumpy ride. You feel everything. Brake pads only last 15k miles and the dealer acknowledges that this was a design flaw but they do not give a price break to replace.

Sunday, December 15, 2002

Don't Do It By [REDACTED]

[REDACTED] 5.0 Details

Review: Lots of rattles, odds and ends that break. Sure, it's all under warranty, but each time another visit to the dealer for service, and who has time for that? My visits went like this, "yeah, you're right it's broke, but we have to order the part, so you'll have to bring it back," doubling my number of visits! Defects included check engine light on at least 8 x's, gas cap lock broke, hazard switch broke, sun roof mechanism broke, and, for the first time with any car I've ever owned, rear brakes went on it after one year, ate into the rotors (not covered under warranty) causing \$400 worth of damage.

Favorite Features: WAY too little room inside. Push the front seats back for room, and NO ONE, repeat, NO ONE, can sit in the back.

Suggested Improvements: They say volvos last hundreds of thousands of miles. I'll never know because I plan to get rid of it asap. I bought this car in a hurry, with every available feature, about \$29,000. Extreme disappointment, and many other cars offering a lot more for the price.

Saturday, December 14, 2002

But This Car Now By [REDACTED]

[REDACTED] 9.5 Details

Review: I had heard before I bought this car that it was junk and that my money would be better spent buying an Audi A4 or BMW 3-series (both of which can actually be cheaper than the S40 since I have yet to see an S40 that didn't come with all of the options). However, after purchasing this car I would never

THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXEMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).